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BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

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COMMISSIONERS

2004 NOV -5 A 11: 13

DOCKETED

MARC SPITZER, Chairman  
WILLIAM A. MUNDELL  
JEFF HATCH-MILLER  
MIKE GLEASON  
KRISTINE K. MAYES

AZ CORP COMMISSION  
DOCUMENT CONTROL

NOV - 5 2004

DOCKETED BY

CML

IN THE MATTER OF THE APPLICATION OF  
BEARDSLEY WATER COMPANY TO EXTEND  
ITS CERTIFICATE OF CONVENIENCE AND  
NECESSITY.

DOCKET NO. W-02074A-03-0608

PROCEDURAL ORDER

**BY THE COMMISSION:**

On August 26, 2003, Beardsley Water Company ("Company" or "Applicant"), filed an application for an extension of its Certificate of Convenience and Necessity ("Certificate") with the Arizona Corporation Commission ("Commission") to provide public water utility service in various parts of Maricopa County, Arizona.

On September 18, 2003, the Commission's Utilities Division ("Staff") issued a notice that the application had not met the sufficiency requirements of A.A.C. R14-2-411(C).

On October 1, 2004, in lieu of a letter of administrative sufficiency, Staff filed its Staff Report.

On October 25, 2004, by Procedural Order, the proceeding was scheduled for hearing on November 4, 2004.

On November 4, 2004, Applicant filed a Motion to Continue ("Motion") the proceeding because the parcel of land which is the subject of this proceeding has been sold and placed in escrow. The Company is requesting an indefinite continuance and is requesting that the time-frame pursuant to A.A.C. R14-2-411(C) be suspended until the new property owner is ready to go forward. Staff does not oppose the Company's Motion.

Accordingly, the Company's Motion for an indefinite continuance should be granted and the time-clock suspended.

IT IS THEREFORE ORDERED that Beardsley Water Company's Motion to Continue is hereby granted.


1 IT IS FURTHER ORDERED that the hearing in the above-captioned matter shall be  
2 continued indefinitely.

3 IT IS FURTHER ORDERED that the time-clock pursuant to A.A.C. R14-2-411(C) shall be  
4 suspended during the continuance.

5 IT IS FURTHER ORDERED that Beardsley Water Company shall file a Motion to  
6 Reschedule when it is ready to proceed on its application herein.

7 IT IS FURTHER ORDERED that the presiding Administrative Law Judge may rescind, alter,  
8 amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by  
9 ruling at hearing.

10 DATED this 5<sup>TH</sup> day of November, 2004.

  
MARC E. STERN  
ADMINISTRATIVE LAW JUDGE

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16 Copies of the foregoing mailed/delivered  
this 5 day of November, 2004 to:

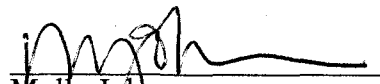
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By:   
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Secretary to Marc Stern